

***Informal DRAFT for Public Review & Comment***

**Chapter 246-366 WAC**

**PRIMARY AND SECONDARY SCHOOLS**

The Washington State Department of Health is seeking your review and comment on this *Informal DRAFT* of proposed changes to Chapter 246-366 Washington Administrative Code (WAC), State Board of Health School Rule for Environmental Health and Safety, Kindergarten -Twelfth Grade. This draft is a discussion draft, in need of your consideration and input. A final draft document for official consideration by the State Board of Health will be developed later this spring following your review and comment on this document.

Written comments on the informal draft are preferred. **Please submit any comments or questions by March 31, 2006.** Comments may be submitted through the internet (at <http://www3.doh.wa.gov/policyreview/> after March 7) or by email or in writing to Nancy Bernard.

For more information, please contact:

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**GENERAL NOTES ABOUT THE DRAFT:**

- Where persons are directed to do something... "shall" is used... as in "school officials shall..."
- Where items are to be done, but "who" is not specified, "must" is used... as in "new construction must comply with..."
- Where the focus of the text or requirement is the facility... the term "school facility" is used.
- The draft presents existing requirements and proposed changes in four sections:
  - General Provisions
  - School Facility Development
  - School Facility Operations
  - Environmental Health and Safety Administration.

***Proposed Rule for School Environmental Health & Safety***

Current #	Proposed #	Proposed Rule Text: existing, <u>new</u> and <del>deleted</del>
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**Section 1**

**General Provisions**

<b>246-366-100</b>	<b><u>Applicability.</u></b> Section 1, General Provisions, applies to proposed new construction (as defined in 246-366-110 WAC) and existing school facilities.
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<b>246-366-001</b>	<b>246-366-110</b> <b><u>Introduction and Purpose.</u></b> These rules <del>and regulations</del> are established as minimum environmental <del>health and safety</del> standards for educational facilities and do not necessarily reflect optimum standards for facility planning and operation. <u>Compliance by school officials with this rule will help ensure a safe and healthy environment for students, staff, parents, and users of school facilities.</u>
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<b>246-366-010</b>	<b>246-366-120</b>	<p><b>Definitions <u>and</u> Acronyms.</b> The following definitions <u>and</u> acronyms shall apply in the interpretation and the enforcement of these rules <del>and regulations</del>.<sup>1</sup></p> <ol style="list-style-type: none"><li>(1) <u>"Accredited" means certification of laboratories for drinking water analyses by the Washington state department of ecology.</u></li><li>(2) <u>"Certified Playground Safety Inspector (CPSI)" means persons meeting training and certification requirements of the National Playground Safety Institute.</u></li><li>(3) <u>"Decibel (dB)" means a standard unit of measurement of sound pressure level.</u></li><li>(4) <u>"Decibel, A-weighted (dBA)" means a decibel measure that has been weighted in accordance with the A-weighting scale. The A-weighting adjusts sound level as a function of frequency to correspond approximately to the sensitivity of human hearing</u></li><li>(5) <u>"Department" <del>m</del>Means the Washington state department of health.</u></li><li>(6) <u>"Emergency eye wash" means a hands-free device within 10 seconds from areas where hazardous chemicals are used that:</u><ol style="list-style-type: none"><li>(a) <u>Irrigates and flushes both eyes simultaneously while the user holds their eyes open;</u></li><li>(b) <u>Activates an on-off valve in one second or less and remains on without user assistance until intentionally turned off; and,</u></li><li>(c) <u>Delivers at least 0.4 gallons (1.5 liters) of water per minute for fifteen minutes or more.</u></li></ol></li><li>(7) <u>"Emergency shower" means a hand-activated shower located within 10 seconds from laboratory stations that delivers water to cascade over the user's entire body at a minimum rate of 20 gallons (75 liters) per minute for fifteen minutes or more.</u></li><li>(8) <u>"Environmental Site Assessment (ESA), Phase 1" means a preliminary assessment of a property, based on review of public and private records including but not limited to surveys, aerial photos, government files, and interviews of former and current property owners as outlined in ASTM Standard E1527-05, to determine whether there has been or may have been a release of a hazardous substance, or whether a naturally occurring hazardous substance is present. An Environmental Site Assessment Phase 1 does not include sampling or testing.</u></li><li>(9) <u>"Equivalent Sound Level (Leq)" means the mean sound energy level for a specified time period. As the mean sound energy level, the Leq is the level of a constant sound that, over a given time period contains the same amount of sound energy as the measured fluctuating sound.</u></li><li>(10) <u>"Follow-up sample" means collecting a water sample where the water has been sitting in the plumbing system no less than 8 hours and no more than 18 hours prior to sample collection, and where the water is run for at least 30 seconds from the cold-water faucet prior to collection.</u></li><li>(11) <u>"Foot-candle" means a unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot.</u></li><li>(12) <u>"Group A" water system means a public water system as defined in the 1996</u></li></ol>

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amendments to the federal Safe Drinking Water Act (Public Law 104-182, Section 101, subsection b). Group A water systems are further defined as community and noncommunity water systems in chapter 246-290 WAC.

- (13) "Initial first draw sample" means a water sample that is collected when the water has been sitting in the plumbing system (i.e., no water passed through the outlet) no less than 8 hours and no more than 18 hours prior to sample collection.
- (14) "Instructional areas" means any space intended or used for instructional purposes.
- (15) "Integrated Pest Management (IPM)" means an approach to pest management described in chapter 17.15 RCW.<sup>1</sup> In the school setting IPM considers multiple methods (physical, mechanical, biological, and chemical) to control pests of public health significance while achieving a safe learning environment for students.
- (16) "Lead action level" means lead levels that equal 0.02 mg/L or 20 ppb.
- (17) "Lead-free" means pipes and pipe fittings contain not more than 8.0 percent lead, and solder and flux contain not more than 0.2 percent lead, as defined by the Washington State Building Code chapter 51-56 WAC and the 42 US Code 300g-6.<sup>2,3</sup>
- (18) "Local Health Officer" means the legally qualified physician who has been appointed as the health officer for the city, town, county or district public health department as defined in RCW 70.05.010(2), or his or her authorized representative.
- (19) Material Safety Data Sheet (MSDS) means a reference designed to provide both workers and emergency personnel with the proper procedures for handling or working with a particular substance. MSDS's include information such as physical data (melting point, boiling point, flash point etc.), toxicity, health effects, first aid, reactivity, storage, disposal, protective equipment, and spill/leak procedures.
- (20) "New construction" ~~shall include~~ means the following:
- (a) Construction of ~~A~~ new school buildings.
  - (b) Additions, renovation, or repair, other than minor repair, to existing schools.
  - (c) ~~Renovation, other than minor repair, of existing schools.~~
  - (d) Schools established in all or part of any existing structures that were previously designed or utilized for other purposes.
  - (~~e~~) Installation or alteration of any equipment or systems, subject to these rules ~~regulations, in schools.~~
  - (f) Portables ~~constructed~~ installed after the effective date of these rules ~~regulations.~~
- (21) "Noise Criterion (NC)" means a system for rating the noise level in an occupied space by comparing actual or calculated sound level spectra with a series of established octave

<sup>1</sup> <http://apps.leg.wa.gov/RCW/default.aspx?cite=17.15&full=true>

<sup>2</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=51-56>

<sup>3</sup> [http://www.law.cornell.edu/uscode/html/uscode42/usc\\_sec\\_42\\_00000300---q006-.html](http://www.law.cornell.edu/uscode/html/uscode42/usc_sec_42_00000300---q006-.html)

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band spectra.

- (22) "Noise Criterion 35 (NC35)" means the curve for specifying the maximum permissible sound pressure level for each frequency band.

"Occupied zone" is that volume of space from the floor to 6 feet above the floor when determining temperature and air movement, exclusive of the 3-foot perimeter on the outside wall.<sup>2</sup>

- (23) "Plumbing profile" means an assessment of a school facility's plumbing and includes, but is not limited to when the building or additions were built, whether lead-free plumbing and solder were used, what material is used in pipe carrying water to the school facility from the utility's main, when the most recent plumbing repairs were made, what the facility's drinking water pipes are made of, whether brass fittings, faucets, or valves were used, and how many drinking water fountains, ice makers, kitchen taps, drinking water fountains, and all points within the school where access to drinking water are used in the school facility.

- (24) "Portables" means Any structure that is transported to a school site where it is placed or assembled for use as part of a school facility.

- (25) "Prioritized drinking water sites" means identified drinking water sampling sites where consumption of water is known to occur. Examples include drinking water fountains and any sink or tap known to be used for consumption.

- (26) "School facility" Shall means any publicly financed or private or parochial school or facility used for the purpose of school educational instruction, from the kindergarten through twelfth grade. This definition does not include a private residence in which parents teach their own natural or legally adopted children.

- (27) ~~"Board of Education School Board"~~ means an appointive or elective board whose primary responsibility is to operate public or private or parochial schools or to contract for school services.

- (28) "School officials" means school administrators, or their designees, responsible to the elected school board or private school owners.

- (29) "Secretary" Mmeans the secretary of the Washington state department of health or the secretary's designee.

- (30) "Site" Shall include means the areas used for buildings, playgrounds and other school functions.

**Acronyms**

ANSI: American National Standards Institute

ASHRAE: American Society of Heating, Refrigerating and Air-Conditioning Engineers

ASTM: American Society for Testing Materials

CPR: Cardiopulmonary Resuscitation

CPSC: Consumer Product Safety Commission

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		<u>CPSI: Certified Playground Safety Inspector</u>
		<u>dB: Decibel</u>
		<u>dBA: Decibel measure, with the "A" weighted scale adjustment</u>
		<u>DOH: Department of Health</u>
		<u>EPA: Environmental Protection Agency</u>
		<u>ESA: Environmental Site Assessment (EPA and ASTM)</u>
		<u>HEPA: High Efficiency Particulate Air</u>
		<u>H&amp;SG: DOH / OSPI K-12 Health &amp; Safety Guide</u>
		<u>HVAC: Heating, Ventilation, Air Conditioning</u>
		<u>IPM: Integrated Pest Management</u>
		<u>LHO: Local Health Officer</u>
		<u>Leq: The mean sound energy level for a specified time period.</u>
		<u>Lmax: The maximum sound level recorded during a specified time period.</u>
		<u>MSDS: Material Safety Data Sheet</u>
		<u>NC: Noise Criterion</u>
		<u>NC35: Noise Criterion 35</u>
		<u>NSF: National Science Foundation</u>
		<u>SHGC: Solar Heat Gain Coefficient</u>
		<u>RCW: Revised Code of Washington</u>
		<u>WAC: Washington Administrative Code</u>

**246-366-020**

Section  
deleted,  
covered by  
Exemption  
section

**246-366-440**

~~Substitutions. The secretary may allow the substitution of procedures or equipment for those outlined in these regulations, when such procedures or equipment have been demonstrated to be equivalent to those heretofore prescribed. When the secretary judges that such substitutions are justified, he shall grant permission for the substitution in writing. Requests for substitution shall be directed to the jurisdictional health officer who shall immediately forward them, including his recommendations, to the secretary. All decisions, substitutions, or interpretations shall be made a matter of public record and open to inspection.~~

**Section 2**

**School Facility Development**

**246-366-200** **Applicability.** Section 2, School Facility Development applies only to new construction (as defined in 246-366-110 WAC), proposed after *[the effective date of these rules]*.

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<b>246-366-030</b>	<b>246-366-210</b>	<b>Site Approval.</b>

- (1) For sites that are proposed for the development of school facilities, school officials shall ensure a Phase I Environmental Site Assessment (ESA) that meets the requirements of ASTM Standard #E1527-05 is completed.
- (2) If the Phase 1 ESA indicates that hazardous substances may be present, school officials shall ensure that samples of potentially contaminated soil are analyzed for the likely contaminants. Sampling and any remediation that may be required must comply with the rules and guidelines of the Washington state department of ecology.
- (3) ~~(1) Before a new school facility is constructed, an addition is made to an existing school facility, or an existing school facility is remodeled, the board of education shall obtain written approval from the health officer that the proposed development site presents not health problems. The board of education may request the health officer make a survey and submit a written health appraisal of any proposed school site.~~  
Before new construction occurs the LHO shall determine that the proposed development site does not present any conditions that would prevent development of a school facility on the site in compliance with these rules. The LHO shall use the results of the ESA and any other applicable information in the determination. The school board shall obtain written approval from the LHO for development of the site, prior to submittal of construction plans for LHO review and approval.
- ~~(2) School sites shall be of a size sufficient to provide for the health and safety of the school enrollment.~~
- (4) ~~(3) Noise from any source at a proposed site for a new construction of a school, an addition to an existing school, or a portable classroom shall must not exceed an hourly average of 55 dBA (60 minute Leq-60 minutes) and shall must not exceed an hourly maximum (Lmax) of 75 dBA during the time of day the school is in session; except sites exceeding these sound levels are acceptable if a plan for sound reduction is included in the new construction proposal and the plan for sound reduction is approved by the LHO health officer.~~

<b>246-366-040</b>	<b>246-366-220</b>	<b>Plan Review And <u>Pre-Opening</u> Inspection Of Schools.</b>
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- (1) ~~Any board of education, b~~Before beginning new construction a local school board constructing a new facility, or making any addition to or major alteration of an existing facility or any of the utilities connected with the facility, shall:
  - (a) ~~First s~~Submit final plans and specifications of such buildings or changes proposed construction to the jurisdictional health officer LHO early in the planning process so that the LHO can address health and safety issues when most cost effective and achievable;
  - ~~(b) Shall obtain the local health officer's recommendations and any required changes, in writing;~~
  - (b) ~~Shall e~~Obtain written approval from the LHO local health officer, to the effect that such plans and specifications comply with these rules and regulations.

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(2) The ~~LHO~~ local health officer shall:

- (a) Should interact with the project design team and coordinate with the local building officials early in the design development phase to address potential health and safety issues in a timely and cost effective manner.
- (b) Shall provide a written report to the local school board regarding the proposed construction, including:
  - (i) Any changes required to bring the proposed construction into compliance with these rules.
  - (ii) Any additional information needed to complete the LHO review and approval of the proposed construction.
  - (iii) Any recommendations regarding development of school facilities at the proposed site.

(c) ~~(a)~~ Shall conduct a preoccupancy inspection of new construction to determine its conformity with the approved plans and specifications.

(d) ~~(b)~~ Make periodic inspections of each existing school within his jurisdiction, and forward to the board of education and the administrator of the inspected school a copy of his findings together with any required changes and recommendations.

**Moved to 246-366-420 Local Health Officer's Responsibility, (1).**

If a Temporary Occupancy Permit is requested of the local building official to allow occupancy of new construction prior to final construction or installation of building components, school officials shall consult with the LHO to assure that environmental health and safety concerns are addressed. As a condition of the Temporary Occupancy Permit, the local building official and the LHO shall review and approve a written plan developed by the school officials addressing the health and safety concerns identified by the LHO, including the time frames for meeting or correcting the identified concerns.

**246-366-050      246-366-230      ~~Buildings~~ Facility Design—General.**

- (1) Proposed new construction must comply with the state building code as adopted by the State Building Code Council under RCW 19.27.074 and local building codes, which may be more stringent than the minimum state codes.<sup>4</sup>
- (2) ~~(1) Buildings shall be kept clean and in good repair.~~ **Moved to 246-366-310 School Facility Operations—General, (1).**  
School facilities must be designed to allow for the control of dust and cleanability.
- (3) Instructional areas shall have a minimum ceiling height of 8 feet. Ceiling height shall be the clear vertical distance from the finished floor to the finished ceiling. No projections from the finished ceiling shall be less than 7 feet vertical distance from the finished floor, e.g., beams, lighting fixtures, sprinklers, pipe work.<sup>3</sup>

<sup>4</sup> <http://apps.leg.wa.gov/RCW/default.aspx?cite=19.27.074>

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- (4) All ~~stairway[s]~~ and steps shall must have ~~handrails and~~ non-slip treads.<sup>4</sup>
- (5) The floors throughout the school facility shall must have an easily cleanable surface.
- (6) ~~(5) The premises and all building shall be free of insects and rodents of public health significance and conditions which attract, provide harborage and promote propagation of vermin. Moved to section 246-366-370 Pest Management (1)(a).~~  
~~(7) There shall must be sufficient space provided for the storage of outdoor clothing, play equipment and instructional equipment. The space shall must be easily accessible, well lighted, heated and ventilated.~~
- (7) ~~(6) All poisonous compounds shall be easily identified, used with extreme caution and stored in such a manner as to prevent unauthorized use or possible contamination of food and drink. Moved to 246-366-310 School Facility Operation—General, (3).~~  
If health rooms are included in proposed new construction, design must address: visual supervision and confidentiality of room occupants; surfaces that are conducive to cleaning and disinfecting; and proximity to restrooms.
- (8) Open sided floor pits must have a safety railing in accordance with department of labor and industries core rules (WAC 296-800-26005, 26010).<sup>5, 6</sup> In addition, orchestra pits must have a safety railing which may be removed during performances.
- (9) ~~Schools shall be provided with windows sufficient in number, size and location to permit students to see to the outside. Windows are optional in special purpose instructional areas including, but not limited to, little theaters, music areas, multipurpose areas, gymnasiums, auditoriums, shops, libraries and seminar areas. No student shall occupy an instructional area without windows more than 50 percent of the school day. Moved to 246-366-250 Lighting: Natural and Artificial, item (1).~~  
Any surface, including retaining walls, that is accessible by children, with a fall distance exceeding 30 inches, must be designed or modified to prevent unintentional falls.
- ~~(9) Exterior sun control shall be provided to exclude direct sunlight from window areas and skylights of instructional areas, assembly rooms and meeting rooms during at least 80 percent of the normal school hours. Each area shall be considered as an individual case. Sun control is not required for sun angles less than 42 degrees up from the horizontal. Exterior sun control is not required if air conditioning is provided, or special glass installed having a total solar energy transmission factor less than 60 percent. Moved to 246-366-250 Lighting: Natural and Artificial, item (1).~~
- (10) School facilities must be designed to prevent infestations of insects, rodents, and birds.
- 246-366-140      (11) Each science lab being developed as part of new construction, or existing science lab that is being remodeled, must
- (a) Have properly drained emergency eyewash fountain and an emergency shower.  
~~(2) In new construction, chemistry laboratories shall be provided with an eyewash fountain and a shower head for flushing in cases of chemical spill and clothing fires. If more than one laboratory is provided, one of each fixture will be adequate if the laboratories are in close proximity.~~

<sup>5</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=296-800-26005>

<sup>6</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=296-800-26010>



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(b) Have emergency shut-offs for water, gas and electricity.

**246-336-080      246-366-240      Heating, Ventilation And Air Conditioning Design.**

- (1) ~~(1) All rooms used by students or staff shall be kept reasonably free of all objectionable odor, excessive heat or condensation. Moved to 246-366-310 School Facility Operation—General, (2)~~  
Ventilation system design, construction, installation and performance in school facilities must be consistent with Chapter 51-13 WAC.<sup>7</sup>
- (2) Interior surfaces of air handling ducts must be smooth, non-friable and cleanable when renovating ducts in existing school facilities and in new construction.
- (3) School facilities must be designed to prevent the intake of outdoor pollutants and re-intake of pollutants and moisture.
- (4) ~~(2) All sources producing air contaminants of public health importance shall must be controlled by the provision and maintenance of local mechanical exhaust ventilation systems as approved by the health officer.~~
- (5) The standards used for ventilation system design, construction, installation and performance in school facilities must address the unique needs of special use areas, including health rooms, science labs, and career & technical instructional areas.

**246-336-100**      (6) ~~Heating, ventilating and/or air conditioning systems shall must be equipped with automatic room temperature controls. Temperature controls must not contain mercury.~~

**246-366-050      246-366-250      Lighting: Natural And Artificial.**  
**(8 & 9)**

- ~~(8) Schools shall be provided with windows sufficient in number, size and location to permit students to see to the outside. Windows are optional in special purpose instructional areas including, but not limited to, little theaters, music areas, multipurpose areas, gymnasiums, auditoriums, shops, libraries and seminar areas. No student shall occupy an instructional area without windows more than 50 percent of the school day.~~
- ~~(9) Exterior sun control shall be provided to exclude direct sunlight from window areas and skylights of instructional areas, assembly rooms and meeting rooms during at least 80 percent of the normal school hours. Each area shall be considered as an individual case. Sun control is not required for sun angles less than 42 degrees up from the horizontal. Exterior sun control is not required if air conditioning is provided, or special glass installed having a total solar energy transmission factor less than 60 percent.~~
- (1) School officials should consider daylight their primary source of illumination because of its health, learning and energy efficiency benefits. Lighting design must provide sources of daylight from apertures such as windows or skylights of a number and size sufficient

<sup>7</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=51-13>

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to provide 75% of classroom, instructional, office space or other critical task spaces such as libraries with daylight. In classrooms a minimum of 25% of the windows must be available as view windows located in the wall between 30" and 7 feet above the floor. This requirement may be waived by the LHO for renovation or remodel of existing school facilities where the extent of the proposed renovation or remodel does not reasonably allow for meeting this daylighting standard.

- (2) For instructional or other critical visual task areas such as offices and libraries, sun-control features must shade occupants from the glare of direct sunlight during normal periods of student occupancy.
- (a) Fixed methods of sun-control such as exterior roof overhangs or interior lightshelves should be provided for all sun angles above 45 degrees, perpendicular to the window glazing. The angle the sun is the included angle as measured perpendicular to the window, from the horizontal ground plane up to the angle of the rays of the sun.
- (b) All skylights must be glazed with diffuse light transmitting glazing material. Skylights not included, windows with exposure to the direct sun during normal periods of student occupancy must have a Solar Heat Gain Coefficient (SHGC) no greater than 40% and a Visible Light Transmission (VLT) no less than 60%.
- (c) ~~(2) Excessive brightness and glare shall must be controlled in all instructional areas, so that Ssurface contrasts and direct or indirect glare shall does not cause excessive eye accommodation or eye discomfort strain problems.~~
- (3) ~~(4)The following maintained light intensities specified in Table 1 shall must be provided as measured 30 inches above the floor or on working or teaching surfaces. on both vertical and horizontal surfaces as appropriate. General, task and/or natural Electric lighting may be used to supplement daylight to maintain the minimum lighting intensities specified Table 1.~~
- (a) Horizontal lighting is measured 30 inches above the floor or on working or teaching surfaces.
- (b) Vertical lighting is measured on the teaching wall or other vertical visual task surfaces as appropriate.
- (c) ~~(3) Lighting shall must be provided in a manner which that minimizes shadows and other lighting deficiencies on work and teaching surfaces.~~

**246-366-120**

**TABLE 1**

	Minimum Foot - candle Intensity	
	<u>Horizontal Surfaces</u>	<u>Vertical Surfaces</u>
General instructional areas including: Study halls, lecture rooms and libraries.	30	<u>NA</u>
Special instructional areas where safety is of prime consideration or fine detail work is done including: Sewing rooms, laboratories	50	<u>30</u>

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		(includes chemical storage areas), shops, drafting rooms and art and craft rooms.		
		<u>White boards in instructional areas</u>	<u>NA</u>	<u>5</u>
		<u>Black boards in instructional areas</u>	<u>NA</u>	<u>50</u>
		<del>Kitchen areas including: Food storage and preparation rooms.</del>	<del>30</del>	
		Non-instructional areas including: Auditoriums, lunch rooms, assembly rooms, corridors, stairs, storerooms, and toilet rooms.	10	<u>10</u>
		Gymnasiums: Main and auxiliary spaces, shower rooms and locker rooms.	20	<u>NA</u>
		<u>NA = not applicable</u>		

**246-366-110    246-366-260    Sound Control.**

- (1) ~~In new construction, plans submitted under WAC 246-366-040 School officials shall ensure that specify ventilation equipment and other mechanical noise sources in classrooms is are designed to provide background sound which conforms to a noise criterion curve or equivalent not to exceed NC-35. The owner shall certify School officials shall obtain certification that ventilation equipment and other mechanical equipment generating noise in classrooms equipment and features are is installed according to the LHO-approved plans and specifications.~~
- (2) ~~In new construction, t~~ The actual background noise at any student location within the classroom ~~shall must~~ not exceed ~~45 40 dBA (30 second Leq<sub>x</sub>) and 70 dB (Leq<sub>x</sub>) (unweighted scale) where x is thirty seconds or more.~~ The LHO health officer shall determine compliance with this section when the ventilation system and the ventilation system's noise generating components, e.g., condenser, heat pump, etc., are in operation.
- (3) ~~In new construction, t~~ The maximum ambient noise level in industrial arts, vocational agriculture and trade, and industrial classrooms ~~shall must~~ not exceed 65 dBA when all fume and dust exhaust systems are operating.  
  
~~—(3) Existing portable classrooms, constructed before January 1, 1990, moved from one site to another on the same school property or within the same school district are exempt from the requirements of this section if the portable classrooms meet the following:~~  
~~—(a) Noise abating or noise generating features shall not be altered in a manner that may increase noise levels;~~  
~~—(b) The portable classrooms were previously in use for general instruction;~~  
~~—(c) Ownership of the portable classrooms will remain the same; and~~  
~~(e) The new site is in compliance with WAC 246-366-030(3).~~
- (4) Students ~~shall must~~ not be exposed to sound levels equal to or greater than 115 dBA.

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except during fire or other emergency alarms.

- (5) The maximum noise exposure for students ~~in vocational education and music areas shall~~ must not exceed the levels specified in Table 42. School officials shall control student noise exposure by applying the following methods:
- (a) Design and engineering controls, such as limiting sound levels generated by ventilation equipment through specification of equipment and materials.
  - (b) Where design and engineering controls do not achieve the desired levels, administrative controls, such as limiting the time that students are exposed to noise may be used.
  - (c) Where design and engineering, and administrative controls do not achieve desired levels, personal protection equipment, such as ear plugs, may be used. If sound level and duration exceed limits in Table 2, personal protection equipment must be provided to and used by the students so that noise exposure complies with the levels specified in Table 42 .

**TABLE 42**

**Maximum Noise Exposures Permissible**

Duration per day (hours)	Sound Level (dBA)
8 hours	85
6 hours	87
4 hours	90
3 hours	92
2 hours	95
1-1/2 hours	97
1 hour	100
1/2 hour	105
1/4 hour	110

- ~~(6) Should the total noise exposure in vocational education and music areas exceed the levels specified in Table 42 of subsection (5) of this section, hearing protectors, e.g., ear plugs, muffs, etc., shall be provided to and used by the exposed students. Hearing protectors shall reduce student noise exposure to comply with the levels specified in Table 42 of subsection (5) of this section.~~

**246-366-130      246-366-270      Food ~~Handling~~ Service Facilities Design.**

- (1) Food storage, preparation, and service facilities operated in conjunction with the school, including the cafeteria, school stores, concession stands and temporary food events

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~~shall~~ must be designed and constructed, ~~maintained and operated~~ in accordance with chapters 246-215 and 246-217-WAC.<sup>8</sup>

- ~~(2) When central kitchens are used, food shall be transported in tightly covered containers. Only closed vehicles shall be used in transporting foods from central kitchens to other schools.~~

**246-366-060      246-366-280      ~~Plumbing, Water Supply, Plumbing And Fixtures~~**

- (1) ~~(2) Water supply:~~ The public water supply providing water service to system for a school facility ~~shall~~ must be designed, constructed, maintained and operated in accordance with chapter 246-290 WAC<sup>9</sup> or chapter 246-291 WAC<sup>10</sup>.
- (2) ~~(1) Plumbing shall be sized, installed, and maintained in accordance with the state building code. However, local code requirements shall prevail, when these requirements are more stringent or in excess of the state building code. School officials shall ensure all plumbing materials and plumbing products used to construct, remodel, or repair school facilities are lead-free and conform with the most current ANSI/NSF Standard 61.~~
- (3) Any water treatment must be approved by the department before being added to water intended for drinking.
- (4) Any products used to coat, line, seal, or patch water contact surfaces or products that will have substantial water contact within the collection, treatment, or distribution system must comply with the appropriate ANSI/NSF Standard 60 (2005) or 61(2003) and be used according to the manufacturer's instructions.
- (5) ~~(3)-Toilet and handwashing facilities.~~
- (a) ~~Adequate, conveniently located toilet and handwashing facilities shall be provided for students and employees. At handwashing facilities soap and single-service towels shall~~ must be provided. Common use towels are prohibited. Warm air dryers may be used in addition to ~~place of~~ single service towels. Toilet paper ~~shall~~ must be available, conveniently located adjacent to each toilet fixture.
- (b) Floors & walls near fixtures must be water impervious and easily cleanable. Floors must be non-skid.
- ~~(b) The number of toilet and handwashing fixtures in schools established in existing structures, previously designed or utilized for other purposes shall be in accordance with the state building code. However, local code requirements shall prevail, when these requirements are more stringent or in excess of the state building code.~~<sup>5</sup>
- (c) Toilet and handwashing facilities must be accessible for use during school hours and scheduled events.
- (d) Handwashing facilities ~~shall~~ must be provided with hot water from 100 to at a ~~maximum temperature of 120 degrees Fahrenheit. If hand operated self-closing~~

<sup>8</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=246-215>

<sup>9</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=246-290>

<sup>10</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=246-291>

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faucets are used, they must be ~~of a metering type~~ capable of providing at least ten seconds of running water.

(6) ~~(4)~~-Showers:

- (a) Showers ~~shall~~ must be provided for classes in physical education, at grades 9 and above. An automatically controlled hot water supply of 100 to 120 degrees Fahrenheit ~~shall~~ must be provided. Showers with cold water only ~~shall~~ must not be permitted.
- (b) Drying areas, if provided, ~~shall~~ must be adjacent to the showers and adjacent to locker rooms. Shower and drying areas ~~shall~~ must have water impervious nonskid floors. Walls ~~shall~~ must be water impervious up to showerhead heights. Upper walls and ceiling ~~shall~~ must be of smooth, easily washable construction.
- (c) Locker and/or dressing room floors ~~shall~~ must have a water impervious surface. Walls ~~shall~~ must have a washable surface. In new construction, floor drains ~~shall~~ must be provided in locker and dressing areas.
- (d) If towels are supplied by the school, they ~~shall~~ must be for individual use only and ~~shall~~ must be laundered after each use.

**246-366-070      246-366-290      Sewage Treatment And Disposal.**

- (1) All sewage ~~and waste water~~ from a school facility ~~shall~~ must be drained to a sewerage disposal system ~~which that~~ is approved by the jurisdictional agency the department of ecology, the department of health or the local health jurisdiction, depending on their jurisdictional authority, which is based on design flow and method of sewage treatment or dispersal. On-site sewage disposal systems shall be designed, constructed and maintained in accordance with (chapters 246-272 or 173-240 WAC.)

**246-366-295      Playgrounds—Design & Construction.**

- (1) Playground equipment and surfaces must be constructed to meet the following ASTM standards and be installed consistent with the manufacturer's instructions and the following CPSC guidelines.
  - (a) ASTM F 1487-01: Standard Consumer Safety Performance Specification for Playground Equipment for Public Use
  - (b) ASTM F 1292: Method to Test Impact Attenuation of Safety Surfacing for Playgrounds
  - (c) Consumer Product Safety Commission Handbook for Public Playground Safety, 1997
- (2) Before used or homemade playground equipment may be installed it must be reviewed for compliance with the Consumer Product Safety Commission Handbook for Public

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		<u>Playground Safety, 1997 and approved by the LHO or a Certified Playground Safety Inspector.</u>
		(3) <u>Chromated copper arsenate or creosote treated wood must not be used in new, used, or homemade playground equipment installations, or the repair or modification of existing playground and landscape structures exposed to children.</u>

**Section 3                      School Facility Operation**

**246-366-300**    **Applicability.**    Section 3, School Facility Operation, applies only to school facilities that were in use as of [the effective date of these rules].

**246-366-050      246-366-310    School Facility Operation—General.**

- |             |   |
|-------------|---|
| 246-366-080 | (1) <del>Buildings shall</del> <u>School facilities must</u> be kept clean, <u>dry</u> , and in good repair.  |
| 246-366-050 | (2) <del>(4)-All rooms used by students or staff shall</del> <u>must</u> be kept reasonably free of all objectionable odor, <del>excessive heat or condensation.</del>  |
| 246-366-050 | (3) <del>(6)-All poisonous compounds</del> <u>hazardous chemicals shall must</u> be easily identified clearly labeled, and have a Materials Safety Data Sheet that is on file at the school facility where the chemical is used or stored. <u>Hazardous chemicals must be used with extreme caution and stored in such a manner as to prevent unauthorized use or possible contamination of air, food, or drink. Only cleaners, pesticides, art supplies, or other chemicals approved by school officials are permitted. If chemicals are necessary to effectively accomplish the job, only the least hazardous, or non-hazardous chemicals may be used, thus lowering the risk associated with chemical use. School officials are to assure that staff using hazardous chemicals have received training in their use, storage, clean-up, and disposal.</u> |

**246-366-090      246-366-320    Heating, Ventilation and Air Conditioning Operation.**

- |             |  |
|-------------|--|
| 246-366-090 | (1) <del>The entire</del> <u>All areas of the school facility inhabited used</u> by students and employees shall must be heated during school hours to maintain a minimum temperature of <del>65</del> <sup>68</sup> degrees Fahrenheit except for gymnasiums <del>which shall</del> <u>that must</u> be maintained at a minimum temperature of 60 degrees Fahrenheit. <u>To prevent health problems from excessive heat and humidity, or too low a humidity, it is recommended that ASHRAE standards for temperature and relative humidity be followed.</u> |
| 246-366-090 | (2) <u>When thermostats containing mercury are removed from service they must be recycled by placing in a Thermostat Recycling Corporation (TRC) Take Back Bin or by delivery to a Moderate Risk Waste Collection Facility or collected by a hazardous waste collection vendor. Replacement thermostats must be mercury-free.</u>  |
| 246-366-090 | (3) <u>School officials shall:</u><br><br>(a) <u>Maintain heating, ventilation, and air conditioning (HVAC) systems so that they</u>   |

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operate as designed to maintain air quality;

- (b) Make certain that school activities or operations do not adversely affect the quality of the indoor air; and,
- (c) Maintain records pertaining to the operation and maintenance of the HVAC systems, as required in 246-366-410 (5).

**246-366-330    Mold Prevention & Remediation.**

- (1) School officials shall develop and implement mold prevention and remediation plans.
  - (a) These plans must outline how the school officials:
    - (i) Will monitor the school facility for water intrusion, moisture accumulation and mold.
    - (ii) Will take actions when monitoring identifies water intrusion, moisture accumulation or mold.
    - (iii) Communicate with students, parents and staff regarding conditions and actions to be taken.
    - (iv) Keep records describing the results of monitoring, conditions and corrective actions.
  - (b) These plans and any records must be available for public review.
- (2) School officials shall frequently monitor school facilities for water intrusion, moisture accumulation and mold.
  - (a) When water intrusion or moisture accumulation is observed, school officials shall take immediate corrective action (24 to 48 hours from time of discovery) to prevent and limit mold growth by:
    - (i) Eliminating the cause of the water intrusion and/or moisture accumulation; and,
    - (ii) Drying the affected portions of the school facility.
  - (b) When mold is observed, school officials shall
    - (i) Limit student and staff exposure to the mold until mold remediation is completed;
    - (ii) Initiate the established plan for removal and remediation of mold; and,
    - (iii) Notify students, parents, and staff of existing conditions and the plans and time-frame for mold remediation.
- (3) School officials shall use nationally recognized mold remediation procedures such as that provided by EPA (Mold Remediation in Schools and Commercial Buildings, EPA



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402-K-01-001)<sup>11</sup> or New York City Department of Health and Mental Hygiene,  
Guidelines on Assessment and Remediation of Fungi in Indoor Environments,<sup>12</sup>

**246-366-340    Food Service Facilities Operation.**

- (1) Food storage, preparation, and service facilities operated in conjunction with the school, including the cafeteria, school stores, concession stands and temporary food events must be maintained and operated in accordance with Chapters 246-215 WAC.<sup>13</sup>

**246-366-350    Water Quality Monitoring for Lead.**

(1) Purpose

- (a) This section establishes lead testing, notification, and remediation requirements for schools receiving water from an existing regulated Group A community or Non-Transient Non-Community public water supply.
- (b) School officials shall use the Environmental Protection Agency's (EPA) "3Ts For Reducing Lead in Drinking Water in Schools" (EPA publication 816-B-05-008)<sup>14</sup>, hereinafter referred to as "EPA 3Ts publication," to develop:
- (i) A plumbing profile
- (ii) A sampling plan
- (iii) Identify prioritized sampling sites
- (iv) Test the water
- (v) Interpret test results
- (vi) Inform the public, and
- (vii) Correct any lead problems.
- (c) A copy of EPA 3Ts publication may be obtained from the department or on the internet at:
- [http://www.epa.gov/safewater/schools/pdfs/lead/toolkit\\_leadschools\\_guide\\_3ts\\_lead\\_schools.pdf](http://www.epa.gov/safewater/schools/pdfs/lead/toolkit_leadschools_guide_3ts_lead_schools.pdf)

(2) Initial considerations

- (a) School officials are encouraged to contact the water utility providing water service to

<sup>11</sup> <http://www.iaga.org/epa/>

<sup>12</sup> <http://www.nyc.gov/html/doh/html/epi/moldrpt1.shtml>

<sup>13</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=246-215>

<sup>14</sup> [http://www.epa.gov/safewater/schools/pdfs/lead/toolkit\\_leadschools\\_guide\\_3ts\\_leadschools.pdf](http://www.epa.gov/safewater/schools/pdfs/lead/toolkit_leadschools_guide_3ts_leadschools.pdf)

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the school before beginning lead testing to discuss the quality of the water provided to them and determine if assistance is available from the water utility.

(b) School officials should also review school records before testing begins to determine previous testing efforts and identify whether any changes in plumbing fixtures or materials have occurred.

(c) Changes to the fixtures or materials should be included in the plumbing profile prepared under section (1)(b)(i), above.

(d) School officials shall use the plumbing profile to select the prioritized drinking water sites for sampling.

(3) Sampling

(a) Baseline

(i) School officials shall establish a lead sampling baseline by testing prioritized drinking water sampling sites within two years from the effective date of this rule in order to determine whether the amount of lead in the drinking water is below the lead action level. Collection of baseline sample must follow protocols outlined under initial first draw and follow-up sampling.

(4) Initial first draw and follow-up sampling

(a) In addition to using EPA's 3Ts publication for collecting samples:

(i) Samples must be taken from cold water faucets and fixtures, and

(ii) A Washington State-accredited laboratory approved for lead analysis must be used.-

(b) School officials at each school facility shall designate a person who is responsible for collecting the water sample from prioritized drinking water sites and ensuring the samples are tested in compliance with this section. School officials shall ensure the designated person has sufficient training and knowledge to meet these responsibilities.

(5) Follow-up Sampling

(a) Once a baseline is established, lead sampling frequency will be on a three-year sampling cycle for prioritized drinking water sampling sites in accordance with EPA's 3Ts publication. However, if the water utility's corrosion control treatment processes change, or the plumbing materials in the school change, prioritized drinking water sites must be resampled as soon as possible, but no later than 6 months after the changes are made.

(6) Corrective actions

(a) When sample results including baseline samples exceed the lead action level, the person responsible for water sampling must ensure follow-up samples are taken within 30 days of receiving the sampling results.

(b) School officials shall select the most appropriate interim control measures from

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EPA's 3Ts publication, which must be employed until the follow-up sample results are received. All faucets exceeding the lead action level must be shut off, if possible. If shutoff is not possible, they must be posted with a sign that warns the water is not safe to drink. The sign should be of a large enough size that it is easy to notice and read.

- (c) If the follow-up samples exceed the lead action level, the school officials shall continue to use the interim control measures from the EPA 3Ts publication. In addition, a permanent remedy must be identified by the local school board, with input from the Environmental Health and Safety advisory committee, if one has been established, or others with expertise in drinking water systems.
- (d) If bottled water is used as an interim control measure or a permanent remedy, it must be produced by a Washington State Department of Agriculture-approved bottling operation or out-of-state or international bottler whose product meets federal Food and Drug Administration regulations.
- (e) If flushing is used as an interim control measure, the flushing directions in EPA's 3T publication must be followed and the flushing of each tap must be documented.
- (f) If flushing is used as a permanent remedy, in addition to the requirements when it is used as an interim control measure listed above, the water must be tested for lead at least twice during the school year. If the water does not test below the lead action level by the end of that school year, another permanent remedy must be used.
- (g) Before treatment is used as a permanent remedy, whether treatment devices, technologies or chemicals, an engineering project report must be submitted to the department, in accordance with WAC 246-290-110. Notice: installation of treatment devices would result in the school's designation as a public water supply. It would then be required to comply with the Group A Public Water System Rules and Regulations, chapter 246-290 WAC, including having a certified operator under the Water Works Operator Certification Rules and Regulations, chapter 246-292 WAC.
- (h) If individual fixtures are replaced, the water must be sampled before the faucet is placed back in use to determine lead levels are below the lead action level.

**(7) Notification Requirements**

- (a) School officials must notify staff, students and parents, and users of the facilities within 30 days of the school officials receiving lead sampling results from an accredited laboratory when the lead level meets or exceeds the lead action level, as outlined in the communication plan required under 246-366-410.

**(8) Other water quality parameters**

- (a) School officials may, but are not required to, test for other water quality parameters such as copper, cadmium, iron, manganese, color, zinc, turbidity, total dissolved solids, total coliform and Legionella. The department will provide guidance for these other water quality parameters.

**246-366-360 Onsite Sewage Treatment And Disposal Systems.**

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- (1) On-site sewage disposal systems must maintained in accordance with applicable rules in chapters 246-272A or 246-272B WAC.<sup>15, 16</sup>

**246-366-050      246-366-370      Pest Management.**

- (1) ~~(5)~~ School officials shall:
- (a) Maintain school facilities so they are free of insects and rodents of public health significance and conditions that which attract, provide harborage and promote propagation of vermin.
- (b) Develop and implement a written Integrated Pest Management (IPM) plan or policy. IPM is to be used to control weeds, insects, and other pests on school property. IPM plans adopted by school officials are required to maximize prevention, use least-hazardous methods, and monitor for pests to target pest control and measure its efficacy.
- (c) Comply with the Department of Agriculture Posting and Notification statutes (RCW 17.21.415)<sup>17</sup> and Department of Agriculture pesticide storage and handling rules (WAC 16-228-1220).<sup>18</sup>

**246-366-140      246-366-380      Safety.**

- (1) The existence of unsafe conditions which present a potential hazard to occupants of the school are in violation of these ~~rules~~ regulations. The secretary in cooperation with the state superintendent of public instruction shall review potentially hazardous conditions in schools which are in violation of good safety practice, especially in laboratories, industrial arts and vocational, ~~career and technical, athletic and physical education~~ instructional areas. They shall jointly prepare a guide for use by department personnel during routine school inspections in identifying violations of good safety practices. The guide should also include recommendations for safe facilities and safety practices.
- (2) Open-sided floor pits must have a safety railing in accordance with department of labor and industries core rules (WAC 296-800-26005, 26010). In addition, orchestra pits must have a safety railing that may be removed during performances.<sup>19, 20</sup>
- (3) School officials shall monitor school facilities for potential fall hazards where fall distance exceeds 30 inches and shall modify any identified fall hazard to eliminate or reduce the potential risk to students for unintentional falls.

<sup>15</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=246-272A>

<sup>16</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=246-272B>

<sup>17</sup> <http://apps.leg.wa.gov/rcw/default.aspx?cite=17.21.415>

<sup>18</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=16-228-1220>

<sup>19</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=296-800-26005>

<sup>20</sup> <http://apps.leg.wa.gov/WAC/default.aspx?cite=296-800-26010>

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**246-366-390   Playgrounds—Operations.**

- (1) Playground equipment and surfaces must be maintained according to the Consumer Product Safety Commission Handbook for Public Playground Safety, 1997. <sup>21</sup>
- (2) Chromated copper arsenate or creosote treated wood in play areas must be sealed at least once a year with non-hazardous oil or water-based penetrating sealant or stain in accordance with EPA guidance. <sup>22</sup>
- (3) School officials must frequently monitor the condition of playground equipment and surfaces to identify potential hazards that may have developed. When hazards are identified, school officials must take action to
  - (a) Prevent student exposure to the identified hazard until the hazard is eliminated.
  - (b) Eliminate the hazard.
- (4) School officials shall ensure that playgrounds are inspected at least annually by Certified Playground Safety Inspectors.

**Section 4**

**Environmental Health & Safety Administration**

**246-366-400   Applicability.** Section 4, Environmental Health & Safety Administration applies to school officials, local school boards, Local Health Officers, and the department of health and the state board of health, in their environmental health and safety functions in compliance with these rules.

**246-366-410   School Officials' Responsibility.**

- (1) Local school boards are responsible for the compliance of their schools with the provisions of these rules.
- (2) School officials shall assess and address safety and health risks to students and staff, establish protective procedures, use appropriate engineering controls, and provide First Aid, CPR, hazard training and personal protective equipment for staff and students appropriate to the classroom activities and hazards.
- (3) School officials shall actively engage parents and teachers in addressing environmental health and safety matters in their school facilities. This requirement may be met by establishing an Environmental Health & Safety Advisory Committee at each school to oversee school environmental health and safety and to advise administrators on problems which need to be addressed. Additional tools include the EPA HealthySEAT—School Environmental Assessment Tool, the EPA Tools for Schools and the DOH / OSPI

<sup>21</sup> <http://www.cpsc.gov/cpscpub/pubs/325.pdf>

<sup>22</sup>

<http://yosemite.epa.gov/opa/admpress.nsf/d9bf8d9315e942578525701c005e573c/eabcba60dbba6cfe8525702e0059bd15!OpenDocument>

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(4) School Inspections

- (a) School officials shall ensure that each school facility is inspected for compliance with these rules at least annually. These inspections must be coordinated with the LHO to assure that inspections are performed by either the LHO or other personnel trained to conduct environmental health and safety inspections consistent with these rules.
- (b) When inspections are performed by persons other than the LHO, school officials shall provide copies of the inspection reports to the LHO within 60 days of the inspection.

(5) Communication

- (a) School officials shall establish communication plans to ensure that staff, students, parents, and users of school facilities are informed about known environmental health and safety issues. Plans must include:
  - (i) Communication response levels commensurate with the event or condition.
  - (ii) Rapid communication with the occupants of the school facility and notification to the public.
  - (iii) How notifications will be given to ensure it reaches affected individuals.
- (b) More than one form of notification may be required in order to reach affected individuals. Examples include:
  - (i) Making information available at the school facility or administrative building
  - (ii) Sending information home with each student
  - (iii) Posting notices at the school facility
  - (iv) Posting information on the school's or administration's web site
  - (v) Letters or fliers
  - (vi) Newsletters
  - (vii) News releases

(6) Record Keeping

- (a) School officials shall develop and maintain records pertaining to environmental health and safety conditions in their school facilities. These records must:
  - (i) Be retained for at least five years
  - (ii) Be accessible by the public
  - (iii) Include operational, monitoring, inspection, and sampling information about the

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school facilities, including:

- (A) HVAC systems
- (B) Conditions that may contribute to reduced indoor air quality
- (C) Drinking water quality
- (D) Playgrounds

**246-366-040      246-366-420      Local Health Officers' Responsibility.**

- (1) The LHO shall inspect each school within the Local Health Jurisdiction for compliance with these rules at least annually and upon request from school officials, the LHO may approve a self-inspection by school officials or an inspection by another entity to assure compliance with these rules.
- (2) When inspections are performed by the LHO, the LHO shall provide the school board and the administrator of the inspected school a copy of the inspection report together with any corrective actions required and recommendations within 60 days of the inspection.

~~(2)(b) The LHO shall make periodic annual environmental health and safety inspections of each existing school within his jurisdiction, except where LHJs establish a school program with an alternative schedule that accomplished the goals of the SBOH rules for environmental health and safety in schools, and forward to the school board of education and the administrator of the inspected school a copy of his findings together with any required changes and recommendations.~~

**246-366-430      Department of Health's Responsibilities.**

- (1) The department shall conduct a review of the status and effectiveness of this rule implementation within 5 years of its effective date and submit the results of their review to the State Board of Health, including any recommendations for subsequent rule revision.
- (2) The department, in cooperation with the local health jurisdiction, may investigate school-related environmental health and safety incidents.
- (3) The department may collect student accident and injury data, without personal identifiers, as resources permit, in order to assess the effectiveness of these rules and needs that are not being addressed.

**246-366-150      246-366-440      Exemption.**

- (1) The state board of health may, at its discretion, exempt a school facility from complying with parts of these ~~rules~~ regulations when it has been found after thorough investigation and consideration that such exemption may be made in an individual case without placing the health or safety of the students or staff of the school in danger and that strict

***Informal DRAFT for Public Review & Comment***

**Chapter 246-366 WAC**

**PRIMARY AND SECONDARY SCHOOLS**

***Proposed Rule for School Environmental Health & Safety***

<b>Current #</b>	<b>Proposed #</b>	<b>Proposed Rule Text: existing, <u>new</u> and <del>deleted</del></b>
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enforcement of the regulation would create an undue hardship upon the school.

**ENDNOTES—**

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<sup>1</sup> Throughout the draft the phrase "rules and regulations" has been simplified to "rules."

<sup>2</sup> This term is not used in either the current or the proposed rule.

<sup>3</sup> The state building code establishes requirements for ceiling height.

<sup>4</sup> The state building code establishes requirements for construction and safety elements for stairways and hand railings, but does not address stair treads.

<sup>5</sup> The state building code establishes requirements for the number of toilets and handwashing facilities.

<sup>6</sup> The state building code establishes requirements for minimum temperature (at 68 degrees Fahrenheit), but does not have specific temperature requirements for gymnasiums.